

REMARKS

This communication is in response to the Office Action mailed February 16, 2007. If this response does not place the application in condition for allowance, the undersigned respectfully requests the Examiner to contact the undersigned to arrange an interview.

The Office Action first reports that claims 1-3, 7 and 11-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dragosh et al. (US 6366886) in view of Ladd et al. (US 6269336) and further in view of Pickering (US. 6944592).

Dragosh et al., Ladd et al. and Pickering
Are Not Related Art

In order to combine references, the references must be related. This requirement is necessary in order to prevent application of impermissible hindsight analysis. In the Office Action, it is reported that the combination of Dragosh et al. and Ladd et al. and the combination of Dragosh et al. and Pickering are related art "because they come from the same field of endeavor". This statement is merely a conclusion and the Office Action lacks any reasoning or support for the conclusion. The common element between these references is that they use speech recognizers operable on computers, yet the Examiner has ignored the manner in which the speech recognizers are used, which is entirely different, and which constitutes different fields of endeavor.

As stated in applicant's prior response, Dragosh et al. describe a system of operating an automatic speech recognition service using client-server architecture. As summarized at column 2, lines 18 - 24, "... using client-server communications over a packet network, such as the Internet, the ASR server receives a grammar from the client, receives information representing speech

from the client, performs speech recognition, and returns information based upon the recognize speech to the client." (Emphasis added)

However, Ladd et al. teach an interactive voice browser, which appears to allow a user to navigate to and obtain information from a content provider 208,209. In other words, the input received from the user in Ladd et al. causes different information to be returned from the content provider. This is quite different than the system of Dragosh et al. that provides recognition results from a server back to a client where the user's speech is provided.

Pickering, like Ladd et al., describes an interactive voice response system that allows a user to access server-based automated services to perform specialized tasks. In particular, a the IVR system 10 is used to open a service record 28, where the service record 28 is used by a business server 14 "to process the record and deliver an answer." (Column 5, lines 13-26; Column 4, lines 47-52). Like Ladd et al., this type of system is no where near the same field of endeavor as Dragosh et al. The system of Pickering provides answers to a user's question, whereas Dragosh et al. provides recognition results corresponding to a user's input speech.

Based on the fact that Dragosh et al., Ladd et al. and Pickering are not from the same field of endeavor, Applicants respectfully submit the rejection should be withdrawn, and accordingly, claim 1 should be allowed.

The Combination of Dragosh et al., Ladd et al. and
Pickering Do Not Teach or Suggest All
the Elements of Claim 1

The Office Action reports that Dragosh et al. teach a computer readable medium including instructions that meet the preamble and first two elements of claim 1; however, it is

acknowledged that Dragosh et al. fail to specifically disclose the steps of receiving from the remote location data indicative of a prompt for the user to be used when the recognition results are indicative of no recognition of the input from the client; converting the data indicative of the prompt to speech data when the recognition results are indicative of no recognition of the input from the client; and sending the speech data to the client device over the wide area network.

The Office Action then reports that Ladd et al. teach the steps of receiving from the remote location data indicative of a prompt for the user to be used when the recognition results are indicative of no recognition of the input from the client; converting the data indicative of the prompt to speech data when the recognition results are indicative of no recognition of the input from the client; and sending speech data to the client device over the wide area network, citing column 14, lines 43 - 67 together with columns 17, lines 61 - 67.

**Ladd et al. and Pickering Do Not Teach or Suggest
the Last Three Elements of Claim 1**

Applicants respectfully traverse this rejection because Ladd et al. does not teach or suggest the features reported by the Office Action. As discussed in Applicants' prior response, it is believed that Ladd et al. disclose in the most relevant embodiment illustrated in FIG. 3 a system 200 that allows users of communication devices indicated at 201, 202, 203 and 204 to access information stored on content providers 208 and 209 using a communication node 212 (col. 5, lines. 12-38). It is believed a summary of some aspects of the system 200 is provided at col. 11, lines. 25-63, wherein response to voice inputs from the user or DTMF tones, presumably using one of the connection devices 201-204, the voice browser 250 can navigate to a designation or content provider 208, 209. After the voice browser 250 is

connected to an information source, the information source provides information that can include text content, mark-up language documents or pages, non-text content, dialogs, audio sample data, recognition grammars, etc. Based on the information collected, the voice browser 250 allows interactive voice applications. FIGS. 5A-5C illustrate a flow diagram for providing an interactive voice application. This procedure is discussed at col. 13, line 66 - col. 15, line 59. Voice browser 250 accesses and uses a voice response unit server 234 having a text-to-speech converter 252 and a speech recognizer 254.

Claim 1 recites a computer readable medium having instructions which when operated on a computer receive and process speech input. The steps recited are those performed by the speech server 204 in the architecture of Fig. 5 of the present application. In particular, claim 1 recites that data are received over a wide area network indicative of input from a client device as well as an indication of a grammar for speech recognition. Further, data indicative of recognition results is sent to a remote location on the wide area network. The "remote location on the wide area network" is significant for it is used in the remaining steps recited in claim 1 (and contended to be taught by Ladd et al and Pickering). In particular, claim 1 further recites the steps of:

receiving from the remote location data indicative of a prompt for the user to be used when the recognition results are indicative of no recognition of the input from the client;

converting the data indicative of the prompt to speech data when the recognition results are indicative of no recognition of the input from the client; and
sending the speech data to the client device over the wide area network. (emphasis added)

The Office Action cites column 14, lines 43-67 together with column 17, lines 61-67 of Ladd et al. for teaching this step, but

acknowledges that Ladd et al. fail to disclose that prompts are received from a remote location. The Examiner cites Figure 1 of Pickering where a prompt database is located at server 22, while the speech recognizer is located at server 16.

Applicants respectfully point out that data indicative of the prompt to be used when no recognition occurs is received from the remote location, the same "remote location" where recognition results are sent. Claim 1 specifically recites that the remote location is where the recognition results are sent and moreover, that this location is via a wide area network. The prompt database does not meet the claim language, first, because it is not the location where recognition results are sent. Secondly, the LAN (i.e. local area network) clearly is not a wide area network as recited in claim 1.

In view of the foregoing, Applicants respectfully submit the cited combination does not teach the invention of claim 1 and that the rejection should be withdrawn.

Independent claim 11 includes features similar to that of claim 1. For the reasons provided above, Applicants respectfully believe that claim 11 is also allowable.

**The Combination of Dragosh et al., Ladd et al. and
Pickering Do Not Teach or Suggest All
the Elements of Claims 19 and 20**

With respect to dependent claims 19 and 20, the Office Action reports that Dragosh et al. discloses the features of these claims simply citing that Dragosh et al. is a client-server system. However, this is not enough to meet the features of claims 19 and 20 when combined with the independent claims from which they depend. In particular, the Examiner has not shown where Dragosh et al., Ladd et al. or Pickering teach or suggest that the data indicative of a prompt for the user to be used when the recognition results are indicative of no recognition of the

input from the client originates from the client. Accordingly, the rejection of claims 19 and 20 should be withdrawn.

Newly Added Claims 22-25 Are Separately Patentable

With this amendment applicant has added dependent claims 22, 23, 24 and 25, which depend from claim 1 and are believed separately patentable. Support for claim 22 is found at least at page 24, lines 11-17. Support for claim 23 is found at least at page 24, lines 18-24. Support for claim 24 is found at least at page 26, lines 1-9. Support for claim 25 is found at least at page 26, line 18 - page 27, line 1.

Applicants hereby request an extension of time to respond to the Office Action. A charge authorization for the extension of time fee is enclosed.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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